

**MINUTES**  
**BOARD OF COMMISSIONERS MEETING**  
**General Session**  
**October 16, 2009**  
**Boise, Idaho**

President Newal Squyres called the General Session of the business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:35 a.m. at the Law Center in Boise, Idaho. In addition to President Squyres, in attendance for the meeting were Commissioners Doug Mushlitz, James Meservy, and Deborah Ferguson; Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, Deputy Executive Director Terri Muse, and Executive Director Diane Minnich, who acted as the secretary. Commissioner Reed Larsen joined the meeting in progress.

**CONSENT AGENDA**

**MINUTES**

It was moved, seconded and passed to approve the minutes of the September 11, 2009 meeting as amended.

**GOVERNANCE AND REGULATORY SERVICES**

**RESOLUTION PROCESS** – The Commission was joined by District Bar representatives Karin Seubert (2<sup>nd</sup> district), Sam Laugheed (3<sup>rd</sup> district), Scott Muir (4<sup>th</sup> district), David Heide (5<sup>th</sup> district), James Spinner (6<sup>th</sup> district), and Curtis Smith (7<sup>th</sup> district). The DBA representatives and Commissioners discussed the following four proposed resolutions:

- 09-1 Amendment to Idaho Rule of Professional Conduct 1.0 and 1.10 – *Idaho State Bar Board of Commissioners*
- 09-2 Amendment to Idaho Rule of Professional Conduct 3.8 – *Idaho State Bar Board of Commissioners*
- 09-3 Increase in License Fees – *Idaho State Bar Board of Commissioners*
- 09-4 Amendment to Section II Admissions of the Idaho Bar Commission Rules – *Idaho State Bar Board of Commissioners and Admission Rules Review Committee*

The group also reviewed the resolution packet, resolution meeting schedule, meeting agenda, and awards presentations. The Commissioners requested a short meeting with the District Bar officers immediately following each of the resolutions meetings.

**TRANSFER FROM AFFILIATE TO ACTIVE STATUS**

**Cynthia Meyer** – The Commission considered a request from Cynthia Meyer to transfer from affiliate status. It was moved, seconded and passed to approve Cynthia Meyer request to transfer from affiliate to active status without additional requirements or conditions.

## **RETREAT NOTES AND FOLLOW UP**

The Commission reviewed the retreat notes. The Commission recommended amendments to the notes in the pro bono reporting section and the judicial council section, as well as the addition of Reed Larsen as the liaisons to mentoring and Deborah Ferguson as the liaison to a leadership development program.

## **AMENDMENTS TO IBCR AND BAR EXAM GRADING STANDARDS AND PROCEDURES**

The Commission was provided with the Supreme Court orders amending the Idaho Bar Commission Rules and the Bar Exam Grading Standards and Procedures. The approved amendments reduce the bar exam to two (2) days, beginning in July 2010, and amend the bar exam subject area list.

## **BAR EXAM STATISTICS**

The Commission was provided with the July 2009 bar exam statistics.

**MEMBERSHIP STATISTICS** - The Commission was provided with membership statistics as of October 8, 2009 – 5,360 members.

## **IDAHO SUPREME COURT**

The Commission was provided with the September Supreme Court Oral Conference minutes.

## **ADMINISTRATION AND SUPPORT**

### **SEPTEMBER FINANCIAL REPORTS**

The Commission was provided with the September 30 financial report. As of September 30, 96.7% of income was collected and 75.3% of expenses incurred.

## **ISB/ILF LEASE AGREEMENT**

Commissioner Mushlitz reported that he and the Executive Director met with ILF President Chuck Homer on Friday, July 10, to discuss renegotiating the lease. The Commission was provided with a draft of the proposed lease, which changes the rent to approximately \$15 per square foot plus an escalator each year, still to be finalized. The Executive Director reported that the Idaho Law Foundation Board will consider the proposed lease at its October 23 meeting.

## **RETENTION OF AUDIT FIRM**

The Commission was provided with a memo from Controller Debbie Dudley recommending the engagement of Eide Bailly as the auditor for 2009 through 2011. It was moved, seconded and passed to approve the retention of Eide Bailley to audit the Idaho State Bar financials for the next three (3) years – 2009, 2010 and 2011.

## **MEMBER SERVICES**

**Diversity Section Proposal** – The Commission discussed the Diversity Section proposal to hold a conference and gala celebration on the 220<sup>th</sup> Anniversary of the adoption of the Bill Rights. At 11:00 a.m. the Commission was joined by Diversity Section Chair Dina Flores Brewer, Judge Sergio Gutierrez, and Linda Pall, who presented the proposal to the Commission. Judge Gutierrez reviewed the proposal prepared by the Section. The Commission discussed the proposal with the Section representatives and asked questions about the proposal. After due consideration, it was moved, seconded and passed to not

endorse or support the current proposal for a program celebrating the 220<sup>th</sup> Anniversary of the Adoption of the Bills of Rights nor to commit non-diversity section bar funds to the proposal as presented. The Commission did not consider the current proposal financially feasible. The Diversity Section has a current account balance of approximately \$2,800. The proposed budget was in excess of \$250,000. The Commission agreed it supports the concept of a civic education program on the Bill of Rights and would consider supporting a scaled down version of the program and the effort to obtain a national speaker of interest to the bar.

**2010 Annual Conference Update** – Terri Muse reported on the progress of the 2010 Annual Conference planning. The Commission agreed to continue to consider whether to offer a free CLE at the Annual Conference so the bar could offer a program that is more cost effective for lawyers to attend.

**Practice Section Update** – The Commission was provided with an update of practice Section activity for the past few months.

**LRS statistics** –The Commission was provided with the September 2009 LRS statistics.

**EXECUTIVE SESSION**

After an aye vote was recorded from each Commissioner, the Commission moved into executive session at 1:45 p.m. The executive session concluded at 2:20 p.m.

There being no further business, the General Session adjourned at 1:35 p.m.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Diane K Minnich". The signature is fluid and cursive, with the first name "Diane" and last name "Minnich" clearly distinguishable.

Diane K. Minnich  
Executive Director